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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LAW, *et al.*

Application Serial No.: 10/741,657

Filed: December 19, 2003

For: **ANTIBODIES AGAINST GPR64 AND  
USES THEREOF**

Group Art Unit: 1631

Examiner: Not Yet Assigned

Attorney's Docket No.: 05882.0177.NPUS01

Confirmation No.: 6189

**Information Disclosure Statement**

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed;
  - ☐ a. Within three months of the U.S. filing date of a national application other than a continued prosecution application under §1.53(d);
  - ☐ b. Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - c. Before the mailing date of a first Office Action on the merits;
  - ☐ d. Before the mailing of a first Office Action after filing of a request for continued examination under § 1.115.

No statement under 37 C.F.R. § 1.97(e) or fee is required.

or;

- ☐ 2. This Information Disclosure Statement is being filed after the period specified in paragraph 1(a)-1(d) above, but before the mailing date of a Final Rejection or Notice of Allowance, or action that otherwise closes prosecution in the application, and
  - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained

in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

37 C.F.R. § 1.97(e)(2), or

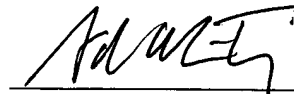
- ☐ c. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but on or before payment of the Issue Fee. Attached is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(i), and
  - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1), or
  - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.
- ☐ 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number **05882.0177.NPUS01**.

Respectfully submitted,



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Date: December 20, 2004

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<b>LIST OF REFERENCES CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i> <b>PTO FORM 1449</b>	ATTY. DOCKET NO.	APPLICATION NO.
	05882.0177.NPUS01	10/741,657
	APPLICANT	
	LAW, et al.	
	FILING DATE	GROUP
	December 19, 2003	1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	6,183,968	09-29-81				
	2.	20020142951 A1	10-03-02				
	3.	20040005563 A1	01-08-04				
	4.						

## FOREIGN PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	5.	EP 0 805 204	11-05-97	Europe				X
	6.	WO 98/45436	10-15-98	PCT				
	7.	WO 00/34473	06-15-00	PCT				
	8.	EP 1 033 401	09-06-00	Europe				
	9.	WO 00/56881	09-28-00	PCT				
	10.	WO 01/54477	08-12-01	PCT				
	11.	WO 01/70979	09-27-01	PCT				
	12.	WO 02/10449	02-07-02	PCT				
	13.	WO 02/61087	08-08-02	PCT				
	14.	WO 02/79406	10-10-02	PCT				
	15.	WO 02/83856	10-24-02	PCT				
	16.	WO 02/102235	12-27-02	PCT				
	17.	WO 03/038129	05-08-03	PCT				
	18.	WO 03/051925	06-26-03	PCT				
	19.	WO 03/071272	08-28-03	PCT				
	20.	WO 02/102235	12-27-02	PCT				

<p align="center"><b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i></p> <p align="center"><b>PTO FORM 1449</b></p>	ATTY. DOCKET NO. <b>05882.0177.NPUS01</b>	APPLICATION NO. <b>10/741,657</b>
	APPLICANT <b>LAW, et al.</b>	
	FILING DATE <b>December 19, 2003</b>	GROUP <b>1631</b>

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)		
21.	Osterhoff et al., "Cloning of a Human Epididymis-Specific mRNA, HE6, Encoding a Novel Member of the Seven Transmembrane-Domain Receptor Superfamily," DNA and Cell Biology, 16: 379-389 (1997)	
22.	Obermann et al., "HE6, a Two-Subunit Heptahelical Receptor Associated with Apical Membranes of Efficient Epididymal Duct Epithelia," Molec. Reprod. & Develop. 64: 13-26 (2003)	
23.	Gilewski et al., "Vaccination of high-risk breast cancer patients with mucin-1 (MUC1) keyhole limpet hemocyanin conjugate plus QS-21," Clin. Cancer Res. 6:1693-1701 (2000)	
24.	Scholl et al., "Recombinant vaccinia virus encoding human MUC1 and IL2 as immunotherapy in patients with breast cancer," J. Immunother. 23:570-580 (2000)	
25.	Bon et al., "Clinical and technical evaluation of ACS BR serum assay of MUC1 gene-derived glycoprotein in breast cancer, and comparison with CA 15-3 assays," Clin. Chem. 43:585-593 (1997)	
26.	Fitzgibbons et al., "Prognostic factors in breast cancer. College of American Pathologists Consensus Statement 1999," Arch. Pathol. Lab. Med. 124:966-978 (2000)	
27.	Hamilton and Piccart, "The contribution of molecular markers to the prediction of response in the treatment of breast cancer: a review of the literature on HER-2, p53 and BCL-2," Ann. Oncol. 11:647-663 (2000)	
28.	Robson, "Are BRCA1- and BRCA2-associated breast cancers different? Prognosis of BRCA1-associated breast cancer," J. Clin. Oncol. 18 (21 Suppl):113S-118S (2000)	
29.	GenBank accession X81892 (1996)	
30.	GenBank accession CAA57479 (1996)	
31.		